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6 Attorneys for Defendants/Cross-complainants  
7 SAN FRANCISCO COMMUNITY COLLEGE DISTRICT

8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 MARGIE CHERRY and ESTORIA CHERRY  
on behalf of themselves and all others  
12 similarly situated,

13 Plaintiffs,  
14 vs.  
15 THE CITY COLLEGE OF SAN FRANCISCO  
("City College"); et al.  
16  
17 Defendants.

18 SAN FRANCISCO COMMUNITY COLLEGE  
19 DISTRICT,

20 Cross-Complainant,  
21 vs.  
22 SWINERTON & WALBERG COMPANY, a  
California corporation, et al.  
23  
24 Cross-Defendants.

Case No.: C04-4981 WHA  
CLASS ACTION

STIPULATION AND [PROPOSED]  
ORDER FOR FILING AMENDED  
CROSS-COMPLAINT  
[FRCP 15(a)]

26 IT IS HEREBY STIPULATED by and between the parties that the Cross-  
27 Complainant SAN FRANCISCO COMMUNITY COLLEGE DISTRICT may file an  
28

1 Amended Cross-Complaint per Fed.R.Civ.Proc. 15(a), a copy of which is attached  
2 hereto.

3 IT IS FURTHER STIPULATED that the cross-defendants waive notice and  
4 service of the amended cross-complaint and shall not be required to answer the  
5 amendment and that all denials, responses and affirmative defenses contained in the  
6 answer filed by each cross-defendant to the original cross-complaint shall be responsive  
7 to the amended cross-complaint. Furthermore, Cross-Defendant Swinerton Builders  
8 specifically denies each and every allegation contained in paragraphs 11, 15, 16, 39 -  
9 43, and 60 of the amended cross-complaint

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11

Dated: September \_\_, 2006

STUBBS & LEONE

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KATHLEEN DARMAGNAC  
Attorney for Defendants

15

16

Dated: September 15, 2006

HANSON BRIDGETT  
  
KURT A. FRANKLIN  
GREGORY KORBEL  
Attorney for Cross-Defendant  
Swinerton Builders

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Dated: September \_\_, 2006

GORDON & REES

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LISA A. PERROT  
Attorney for Cross-Defendant Patri,  
Burlage, Merker Architects and  
Patri.Merker Architects, Inc

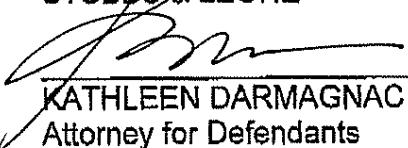
H. VINCENT MCLAUGHLIN  
Attorney for Cross-Defendant Vanir  
Construction Management, Inc.

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11 Dated: September 15, 2006

STUBBS & LEONE

  
KATHLEEN DARMAGNAC  
Attorney for Defendants

15  
16 Dated: September       , 2006

HANSON BRIDGETT

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19 Dated: September       , 2006

KURT A. FRANKLIN  
GREGORY KORBEL  
Attorney for Cross-Defendant  
Swinerton Builders

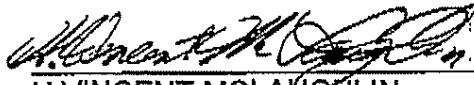
20  
21 Dated: September       , 2006

GORDON & REES

22  
23  
24 Dated: September 15, 2006

LISA A. PERROT  
Attorney for Cross-Defendant Patri,  
Burlage, Merker Architects and  
Patri.Merker Architects, Inc

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28 Dated: September 15, 2006

  
H. VINCENT McLAUGHLIN  
Attorney for Cross-Defendant Vanir  
Construction Management, Inc.

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11 Dated: September \_\_, 2006 STUBBS & LEONE

12

13  
14 KATHLEEN DARMAGNAC  
Attorney for Defendants

15

16 Dated: September \_\_, 2006 HANSON BRIDGETT

17

18 KURT A. FRANKLIN  
19 GREGORY KORBEL  
Attorney for Cross-Defendant  
Swinerton Builders

20

Dated: September 14, 2006 GORDON & REES

21

  
22 USA A. PERROT  
23 Attorney for Cross-Defendant Patri,  
24 Burlage, Merker Architects and  
Patri.Merker Architects, Inc

25

Dated: September \_\_, 2006

26

27 H. VINCENT MCLAUGHLIN  
28 Attorney for Cross-Defendant Vanir  
Construction Management, Inc.

1  
2 **ORDER**  
3

4 Leave to file the Amended Cross-Complaint is GRANTED.  
5

6 **IT IS SO ORDERED.**  
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8 DATED: September 18, 2006  
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11 HON. WILLIAM H. ALSUP  
12 United States District Judge  
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